



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,643	03/11/2002	Fumie Sato	Q68885	9204

23373 7590 08/28/2003

SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, DC 20037

EXAMINER
----------

KILLOS, PAUL J

ART UNIT	PAPER NUMBER
----------	--------------

1625

DATE MAILED: 08/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: ~~1623~~ 1625

STATEMENT OF STATUTORY BASIS, 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

102(b) ACTIVITY MORE THAN ONE YEAR PRIOR TO FILING

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

REJECTION, 35 U.S.C. 102(b) PATENT OR PUBLICATION

Claims 1-8 rejected under 35 U.S.C. 102(b) as being anticipated by EP 510154 published 28 October 1992 or JP 7-285929 published 31 October 1995 or WO 95/18101 published 06 July 1995, or WO 95/06634 A1 published 09 March 1995 or WO 94/08959 A1 published 28 April 1994.


All of the references teach the compounds and the pharmaceutical composition.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul J Killos whose telephone number is 308-0135. The examiner can normally be reached on Tuesday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alan Rotman can be reached on 308-1701. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-1235.

Killos/LR  
August 15, 2003

  
PAUL J. KILLOS  
PRIMARY EXAMINER